IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO : 13267 of 2005

Between:

1 J. Harathi, D/o. J. Venkatesh
R/o.H.No.5-14-54/4, Venkata Lakshminagar Moulali
Hyderabad.
2 Vajja Srinivasa Reddy S/o. Kantha Reddy
R/o. Plot.No.29, Hasthinapuram Chirstian Colony
Rangareddy District.
3 Yedavalli Varija S/o. Srinivasa Reddy
India Cement Ltd., Vishnupuram, Miryalaguda
Nalgonda District.
4 Jaligama Tirumala Rao S/o. Rama Krishna Rao
R/o. Plot.No.203, H.No.5-7-62, BN Reddy Nagar, Vanasthalipuram
Hyderabad.
5 Bobbala Damodar Reddy S/o. Venkata Narasimha Reddy
R/o. Nalgonda Town and District (2 documents)
6 Avadoota Pushpalatha W/o. Gangaram
R/o. Plot.No.503 Vipanchi Estate
Hyderguda Hyderabad.
7 B. Kalpana W/o. B. Dayakar Reddy
R/o. Shapally Village and Post, Narkatpally Mandal Nalgonda District.
8 Sarikonda Sunanda W/o. S. Krishna
R/o.17-1-383/N/80/A6, Plot.No.6, Brundavan Colony Champapet
Hyderabad.
9 G. Raji Reddy S/o. Late G. Sai Reddy
R/o.H.No.5-6, Nadergul Village, Saroornagar Mandal
R.R.District.
10 Likky Narasimha Reddy S/o. Ramachandra Reddy
R/o. Chintapatla Village Yacharam Mandal
R.R.District.
11 Sripathi Krishnaveni S/o. Sripathi Goverdhan Reddy
R/o. Kothapally Village, Yacharam Mandal
R.R.District.

12 Pappu Bheemshwar Prasad S/o. P. Laxmaiah
R/o. Nandiwanaparthy Village Yacharam Mandal
R.R.District.

13 N. Srinivasulu S/o. Narahari
R/o. 16-2-146/24/9 akbarbagh
Malakpet Hyderabad.

14 Dendi Shobha W/o. D. Srinivas Reddy
R/o. Prddapoor village Veldhana Mandal
Kalwakurthy Taluq Mahabubnagar District.

15 M. Manoj Kumar S/o. M. Mahadev Reddy
R/o.20-2-483, Hussaini alam
Hyderabad.

16 K. Swarnalatha W/o. K. Simja Reddy
R/o.B-7, Greenpark Colony Saroornagar
Hyderabad.

17 Arrabairu Vijayalakshmi W/o. Arrabairu Ram Reddy
R/o.Plot.No.249, Chiristian Colony N.S.Road
Vanasthalipuram R.R.Dist.

18 S. Srinivasa Reddy S/o. Narasimha Reddy
R/o. 5-4-125/2, Vijaya Bank Building Vanasthalipuram
Hyderabad

19 K. Vasundhara W/o. K. Tirupathi Reddy
R/o.3-10-20/19, Gokhlenagar Ramanthapur
Hyderabad

20 K. Tirupathi Reddy S/o. Late Konda Reddy
R/o.H.No.3-10-20/19, Gokhlenagar, Ramanthapur
Hyderabad

21 K. Venkat Reddy S/o. Ramachandra Reddy
R/o. Plot.No.88, Rajireddy Nagar Champapet
R.R.District.

22 Ch. Narasimha Reddy S/o. Venkat Reddy
R/o. Plot.No.86, Road.No.4, Thirumala Hills Dilsukhnagar
Hyderabad.

23 Putta Gopal S/o. P. Narasimhulu
R/o.H.No.9-9/1, Vidyuth Nagar Dilsukhnagar
Hyderabad.

24 V. Madhusudhan Reddy S/o.NArayan Reddy
R/o.Kurimidda Kalwakurthy Mandal
Mahabubnagar District.

25 B. Veeranjanneyulu S/o. Boshaiah
R/o. P. Yedukondalu, Plot.No.71, Venkataramana Colony,
Karmanghat Village, Saroornagar Mandal R.R.Dist.

26 Vemulapalli Valeshwari Venkata Lakshmi S/o. V. Satyanarayana
R/o.H.No.18-407,1/2, Street.No.3, Mallikarjunanagar Malkajgiri
Hyderabad.

27 Boda Somaiah S/o. Boda Ramaswamy
R/o. 1-1/11, SBH Colony Mohannagar
Uppal Mandal R.R.District.

28 Sathu Padma W/o. Sathu Range Reddy
R/o.3-4-38/5, Nethajinagar Ramanthapur
Hyderabad.

29 Parsi Suvarna W/o. P. Krishnaiah
R/o.H.No.22-76, road.No.4, Saraswathinagar Saroornagar
Hyderabad.
30 Sama Srinivas Reddy S/o. Narasimha Reddy
R/o.Sahebnagar Village Hayathnagar Mandal
R.R.District.
31 Doddla Mukund Reddy S/o. Bal Reddy
R/o. H.No.1-5-67/4/D, New Maruthinagar Kothapet
Hyderabad.
32 P. Swarnalatha D/o. P. Narayana Reddy
R/o.1-5-41/1, Maruthinagar Kothapet
R.R.District.

..... PETITIONERS

AND

1 The State of A.P Rep.by its Spl.Chief Secretary to the Govt.
Revenue Dept., Secretariate, Hyderabad.
2 The District Collector, Rangareddy District
Khairatabad Hyderabad.
3 The District Registrar, Stamps and Registration
R.R.District.
4 The Sub Registrar,
Champapet Hyderabad, R.R.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring that the action of the respondent No.4 in not registering and releasing the petitioners sale deeds as bad, arbitrary, illegal, discriminatory, violative of principles of natural justice and contrary to G.O.Ms.No.807, Revenue (Regn-I) Dept., dated 13-10-2004 and consequently direct the respondent No.4 to release the sale deeds of the petitioners after due registration of their plots and pass such other order or orders.

Counsel for the Petitioner:MR.P.VENKATESWAR RAO

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

2. This Writ Petition is filed questioning the action of the 4th respondent-Sub-Registrar, Champapet, Rangareddy District, in not registering and releasing the sale deeds of the petitioners as per G.O.Ms.No. 807, Revenue (Registration-I) Department, dated 13-10-2004, as illegal, arbitrary, discriminatory, violative of principles of natural justice and contrary to G.O.Ms.No. 807 dated 13-10-2004 and consequently to direct the 4th Respondent to release the sale deeds of the petitioners after due registration of their respective plots.

3. The petitioners contend that they purchased certain residential plots in S.Nos.57 to 60, situated at Karmanghat village, Saroornagar Mandal, Rangareddy District. They paid the requisite registration fee and submitted their sale deeds to the 4th respondent for registration. But, the 4th respondent refused to register the sale deeds on the ground that the State Government had issued G.O.Ms.No.751 dated 12-12-2001, wherein it was declared that registration of documents of immovable property in the said survey numbers was opposed to public policy. All the Sub-Registrars were directed not to register any sale deeds pertaining to the said survey numbers and to pass refusal orders. Subsequently, Government issued G.O.Ms.No.807 dated 13-10-2004 under sub-Section 1 of Section 22-A of the Registration Act, 1908, de-notifying the earlier notification issued in G.O.Ms.No.751 dated 12-12-2001 in respect of the lands situated in the said survey numbers.

4. It is the case of the petitioners that in the light of G.O.Ms.No.807 dated 13-10-2004, the objections raised by the 4th respondent, on the basis of G.O.Ms.No.751 dated 12-12-2001, do not exist. The petitioners placed reliance on the judgment of this Court in W.P.No.11805 of 2005 dated 07-06-2005, wherein this Court directed the respondents to release the documents presented by the petitioners for registration without raising any objection on the basis of the said G.O.Ms.No.751 dated 12-12-2001. However, this Court made it clear that the order passed in W.P.No.11805 of 2005 dated 07-06-2005 did not disable the registering authority to withhold the registration of documents, if there were some other objections for the

registration of the documents, other than on the basis of G.O.Ms.No.751 dated 12-12-2001 and if there be other objections, the registering authority was directed to communicate such objections to the petitioners.

5. Accordingly this Writ Petition is also disposed of in terms of the order passed in W.P.No.11805 of 2005, dated 07-06-2005 with the following directions: The respondents shall release the documents presented by the petitioners for registration without raising any objections on the basis of G.O.Ms.No.751 dated 12-12-2001. The registering authority, however, is not disabled from withholding registration if there are some other objections to the registration of the documents other than on the basis of G.O.Ms.No.751 dated 12-12-2001. If there be other objections, the registering authority shall communicate such objections to the petitioners.

6. The Writ Petition is disposed of accordingly. No order as to costs.

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(RAMESH RANGANATHAN,J)

22nd June, 2005.

Note:

Furnish C.C. by 27.06.2005

(B/o) TS

To

1 The Special Chief Secretary to the Government, State of A.P., Revenue Dept., Secretariat
Hyderabad.
2 The District Collector, Rangareddy District
Khairatabad Hyderabad.
3 The District Registrar Stamps and Registration
R.R.District.
4 The Sub Registrar
Champapet Hyderabad
R.R.District.

5 Two C.Cs to the G.P., for Revenue, High Court Buildings, Hyderabad (OUT).

6 2 CD copies.